

By: Price

H.B. No. 1697

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a pediatric health electronic access in rural Texas grant program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 541 to read as follows:

CHAPTER 541. PEDIATRIC HEALTH ELECTRONIC ACCESS IN RURAL TEXAS
GRANT PROGRAM

Sec. 541.001. DEFINITIONS. In this chapter:

(1) "Nonurban health care facility" means a hospital licensed under Chapter 241, Health and Safety Code, or other licensed health care facility in this state that is located in a municipality with a population of less than 500,000.

(2) "Pediatric specialist" means a physician who is certified in general pediatrics by the American Board of Pediatrics.

(3) "Pediatric subspecialist" means a physician who is certified in a pediatric subspecialty by the American Board of Pediatrics.

(4) "Pediatric tele-specialty provider" means a pediatric health care facility in this state that offers continuous access to telemedicine medical services provided by pediatric subspecialists.

(5) "Program" means the pediatric health electronic

1 access in rural Texas grant program established under this chapter.

2 Sec. 541.002. PEDIATRIC HEALTH ELECTRONIC ACCESS IN RURAL
3 TEXAS GRANT PROGRAM. The commission with any necessary assistance
4 of pediatric tele-specialty providers shall establish a pediatric
5 health electronic access in rural Texas grant program to award
6 grants to nonurban health care facilities to connect the facilities
7 with pediatric specialists and pediatric subspecialists who
8 provide telemedicine medical services.

9 Sec. 541.003. USE OF GRANT. A nonurban health care facility
10 awarded a grant under this chapter may use grant money to:

11 (1) purchase equipment necessary for implementing a
12 telemedicine medical service;

13 (2) modernize the facility's information technology
14 infrastructure and secure information technology support to ensure
15 an uninterrupted two-way video signal that is compliant with the
16 Health Insurance Portability and Accountability Act of 1996 (Pub.
17 L. No. 104-191);

18 (3) pay a service fee to a pediatric tele-specialty
19 provider under an annual contract with the provider; or

20 (4) pay for other activities, services, supplies,
21 facilities, resources, and equipment the commission determines
22 necessary for the facility to use a telemedicine medical service.

23 Sec. 541.004. SELECTION OF GRANT RECIPIENTS. (a) The
24 commission with any necessary assistance of pediatric
25 tele-specialty providers may select an eligible nonurban health
26 care facility to receive a grant under this chapter.

27 (b) To be eligible for a grant under this chapter, a

1 nonurban health care facility must have:

2 (1) a quality assurance program that measures the
3 compliance of the facility's health care providers with the
4 facility's medical protocols;

5 (2) on staff at least one full-time equivalent
6 physician who has training and experience in pediatrics and one
7 person who is responsible for ongoing nursery and neonatal support
8 and care;

9 (3) fewer than 1,200 births annually;

10 (4) a nursery or a Level I or Level II neonatal
11 intensive care unit;

12 (5) an emergency department;

13 (6) a commitment to obtaining neonatal or pediatric
14 education from a tertiary facility to expand the facility's depth
15 and breadth of telemedicine medical service capabilities; and

16 (7) the capability of maintaining records and
17 producing reports that measure the effectiveness of a grant
18 received by the facility under this chapter.

19 Sec. 541.005. GIFTS, GRANTS, AND DONATIONS. (a) The
20 commission may solicit and accept gifts, grants, and donations from
21 any public or private source for the purposes of this chapter.

22 (b) A political subdivision that participates in the
23 program may pay part of the costs of the program.

24 Sec. 541.006. WORK GROUP. (a) The commission may establish
25 a program work group to:

26 (1) assist the commission with developing,
27 implementing, or evaluating the program; and

1 (2) prepare a report on the results and outcomes of the
2 grants awarded under this chapter.

3 (b) A member of a program work group established under this
4 section is not entitled to compensation for serving on the program
5 work group and may not be reimbursed for travel or other expenses
6 incurred while conducting the business of the program work group.

7 (c) A program work group established under this section is
8 not subject to Chapter 2110.

9 Sec. 541.007. REPORT TO GOVERNOR AND LEGISLATURE. Not
10 later than December 1 of each even-numbered year, the commission
11 shall submit a report to the governor and members of the legislature
12 regarding the activities of the program and grant recipients,
13 including the results and outcomes of grants awarded under this
14 chapter.

15 Sec. 541.008. RULES. The executive commissioner may adopt
16 rules necessary to implement this chapter.

17 Sec. 541.009. SPECIFIC APPROPRIATION REQUIRED. The
18 commission may not spend state funds to accomplish the purposes of
19 this chapter and is not required to award a grant under this chapter
20 unless money is appropriated for the purposes of this chapter.

21 SECTION 2. Not later than December 1, 2017, the Health and
22 Human Services Commission shall establish and implement the
23 pediatric health electronic access in rural Texas grant program
24 authorized by Chapter 541, Government Code, as added by this Act.

25 SECTION 3. Not later than December 1, 2018, the Health and
26 Human Services Commission shall provide the initial report to the
27 governor and the legislature as required by Section 541.007,

1 Government Code, as added by this Act.

2 SECTION 4. If before implementing any provision of this Act
3 a state agency determines that a waiver or authorization from a
4 federal agency is necessary for implementation of that provision,
5 the agency affected by the provision shall request the waiver or
6 authorization and may delay implementing that provision until the
7 waiver or authorization is granted.

8 SECTION 5. This Act takes effect September 1, 2017.